

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Marcus Hinton, et al.) No. CV 23-482-TUC-JAS (MSA)
Plaintiffs,)
vs.) **ORDER**
County of Cochise, et al.)
Defendants.)
_____)

Pending before the Court is a Report and Recommendation issued by United States Magistrate Judge Aguilera. A review of the record reflects that the parties have not filed any objections to the Report and Recommendation and the time to file objections has expired. As such, the Court will not consider any objections or new evidence.

The Court has reviewed the record and concludes that Magistrate Judge Aguilera's recommendations are not clearly erroneous. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72; *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999); *Conley v. Crabtree*, 14 F. Supp. 2d 1203, 1204 (D. Or. 1998).

Accordingly, IT IS HEREBY ORDERED as follows:

- 25 (1) Magistrate Judge Aguilera's Report and Recommendation (Doc. 94) is accepted and adopted.
- 27 (2) Plaintiffs Truly Organic and Great Day Transportation are dismissed without prejudice.
- 28 (3) The County Defendants' motion to dismiss (Doc. 22) is granted in part and denied in

1 part.

2 (4) Plaintiffs' claims against Doni Maers and William Maers are dismissed without prejudice.

3 (5) Plaintiffs have leave to file a second amended complaint within 30 days of the filing date
4 of this Order.

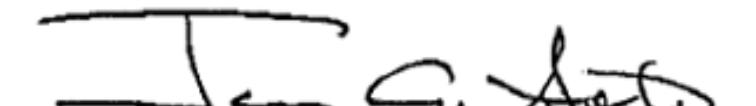
5 (6) This case is referred back to Judge Aguilera for further proceedings.

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7 Dated this 10th day of September, 2024.

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11 Honorable James A. Soto
12 United States District Judge
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